

**IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION**

**JOHN DILLARD, et al.,**

**Plaintiffs,**

**v.**

**TOWN OF HEATH,**

**Defendant.**

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**CIVIL ACTION NO.  
2:87-cv-1232-MHT**

**CONSENT FINAL JUDGMENT**

By order entered June 14, 2007 (Doc. No. 3), the defendant Town of Heath was ordered to show cause, if any there be, in writing by August 13, 2007, as to why the Joint Motion to Show Cause (Doc. No. 2) should not be granted. No response has been filed by defendant.

There being no objection to the plaintiffs' motion for final dismissal of this action, and Alabama Act No. 2006-252 having received preclearance, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) Said motion to dismiss is GRANTED.

(2) It is DECLARED as the judgment of this court that Alabama Act No. 2006-252 provides state legislative authority for the method of election and number of seats prescribed by the consent decree and order of the court entered November 2, 1989, providing that the Town Council of the Town of Heath consist of 5 members elected at-large, without designated or numbered places, with the 5 candidates receiving the most votes being elected, and each voter casting as many as 5 votes which may be distributed among the candidates as the voter may choose.

(3) The injunction contained in the prior judgment of the court to the extent it pertains to defendant Town of Heath is dissolved.

(4) All claims against the defendant Town of Heath in this action are dismissed.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DONE this \_\_\_\_ day of August, 2007.

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**UNITED STATES DISTRICT JUDGE**